IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.Cr. Misc. Petition No . 343/2007
(Rajpal Singh Vs. State of Rajasthan)

Date of order : 28/3/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.L.Maheshwari for the petitioner.

Mr. B.L.Tiwari, P.P.

BY THE COURT

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks review/recalling of the order of this Court dated 23.8.2006 passed in S.B.Cr. Misc. Petition No. 864/2005.

I have heard learned counsel for the parties. There is no provision under the Criminal Procedure Code contemplating power to review or recalling of the order.

In Adalat Prasad Vs. Rooplal Jindal and Ors., JT 2004 (7) SC, 243, a Three Judge Bench of the Hon'ble

Supreme Court held that Criminal Procedure Code does not contemplate a review of an order. This view has been reiterated by Three Judge Bench of Hon'ble Supreme Court in Subramanim Sethuraman Vs. State of Maharashtra and Anr., 2004 CRI.L.J. 4609, wherein the Hon'ble Court held that there being no provision under the Code for review of an order made by the same Court.

In view of the aforesaid decisions of Hon'ble Supreme Court, the criminal misc. Petition deserves to be dismissed as there being no power to review the order made by this Court.

Accordingly, the instant criminal misc. petition is dismissed.

(H.R.PANWAR),J.

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